Distr.
LIMITED

E/CN.4/1994/L.50
28 February 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 10

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT

Argentina*, Australia, Barbados, Bulgaria, Canada, Chile, Costa Rica, Denmark*, Ecuador, Finland, France, Hungary, Italy, Mauritius, Netherlands, Peru, Poland, Republic of Korea, Senegal*, Switzerland*, Uruguay and Venezuela: draft resolution

Right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms

The Commission on Human Rights,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant instruments in the field of human rights and humanitarian law,

Reaffirming that, pursuant to internationally proclaimed human rights and humanitarian law principles, victims of gross violations of human rights should receive, in appropriate cases, restitution, compensation and rehabilitation,

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* In accordance with rule 69, para. 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Considering that the question of restitution, compensation and rehabilitation for victims of gross violations of human rights has received insufficient attention and should be addressed more consistently and more thoroughly at international and national levels,

Welcoming in this regard the study on this subject prepared by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Theo van Boven, and contained in his final report (E/CN.4/Sub.2/1993/8),

Noting with particular interest the conclusions and recommendations, as well as the proposed basic principles and guidelines contained in sections VIII and IX of the final report,

1. Expresses its appreciation for the commendable work carried out by the Special Rapporteur;

2. Requests the Secretary-General to take the necessary measures, within existing resources, for the printing, publication and dissemination of the study of the Special Rapporteur;

3. Expresses the hope that priority attention will be given to the question of restitution, compensation and rehabilitation for victims of gross violations of human rights and regards the proposed basic principles and guidelines contained in the study of the Special Rapporteur a useful basis for this purpose;

4. Recommends, therefore, to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in conformity with Sub-Commission resolution 1993/29 of 25 August 1993, to take measures to examine the proposed basic principles and guidelines with a view to making proposals thereon and to report to the Commission.